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5 Attorneys for Jeffrey I. Golden, Chapter 7 Trustee

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8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SANTA ANA DIVISION**  
11

12 In re  
13 JAMIE LYNN GALLIAN,  
14 Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

**TRUSTEE'S NOTICE OF HEARING ON  
MOTION TO AUTHORIZE SALE OF  
MANUFACTURED HOME CURRENTLY  
LOCATED AT 16222 MONTEREY LANE,  
SPACE 376, HUNTINGTON BEACH, CA  
92649, DECAL NO. LBM1081, FREE AND  
CLEAR OF LIENS AND HOMESTEAD  
EXEMPTION**

Date: March 4, 2025  
Time: 11:00 a.m.  
Place: Courtroom 5C  
411 W. Fourth Street  
Santa Ana, California

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**TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY  
JUDGE AND INTERESTED PARTIES:**

PLEASE TAKE NOTICE that on March 4, 2025, at 11:00 a.m., in Courtroom “5C” of the United States Bankruptcy Court, for the Central District of California, located at 411 W. Fourth Street, Santa Ana, California, Jeffrey I. Golden, the Chapter 7 trustee (the “Trustee”) for the bankruptcy estate (the “Estate”) of Jamie Lynn Gallian (the “Debtor”), will and hereby does move the Court (the “Motion”) under 11 U.S.C. § 363, and Local Bankruptcy Rules 6004-1(c) and 9013-1, for an order authorizing the sale of the 2014 Skyline Custom Villa manufactured home, decal no. LBM1081 (the “Property”) currently located at 16222 Monterey Lane, Space #376, Huntington Beach, California 92649 (the “Space”). The proposed sale is pursuant to a Purchase and Sale Agreement and amendments (collectively the “PSA”), copies of which are attached collectively to the Declaration of Jeffrey I. Golden (the “Golden Declaration”) as Exhibit “1.” The Trustee is requesting authority to sell the Property free and clear of liens and interests pursuant to 11 U.S.C. § 363(f) and authorize the Trustee to disburse the amount of the avoided and preserved first lien to the Trustee.

Pursuant to Local Bankruptcy Rule 6004-1(c), the Trustee provides the following information:

- A. The date, time and place of the hearing on the Motion are set forth above.
- B. The Trustee has proposed the sale of the Property to Galaxy Homes, LLC (the “Buyer”), subject to overbidding.
- C. The property to be sold consists of the Trustee’s right, title, and interest in the Property, with the following description:

Skyline, Custom Villa, 2014, net size 60x30. Serial Numbers  
AC7V710394GB/GA; DOH/HUD Numbers: PFS1130282 and PFS1130281;  
Decal Number LBM1081 Year 2006.

The Property to be sold does not include the ground lease for the Space (the “Ground Lease”), which was deemed rejected long ago. However, the Association (Houser Bros.) has agreed to give any qualified buyer – but not the Debtor, a new ground lease.

1 D. The Buyer has conducted all due diligence on the Property that the Buyer believes is  
2 necessary for the completion of this sale. Any and all contingencies agreed to relating to the sale  
3 have been waived, and thus the sale will not be contingent upon any events or conditions other than  
4 Court approval and potential overbidding.

5 The Property will be sold for \$275,000 (the "Proposed Sale Price") on an "as is," "where is"  
6 condition, with no warranty or recourse whatsoever.

7 E. Based on records maintained by the California Department of Community  
8 Development (the "HCD"), which maintains title and lien records for manufactured homes, and  
9 proofs of claim filed in the Debtor's case, there are no known consensual encumbrances against the  
10 Property that have not been avoided, recovered and preserved for the benefit of the Estate.

11 The Trustee seeks to sell the Property free and clear of any and all liens and interests,  
12 including the Debtor's homestead exemption. Because the consensual liens have been avoided,  
13 recovered and preserved, the Estate will realize the first approximate \$301,011.14 from the sales  
14 proceeds on account of such liens. Involuntary liens were not properly perfected, and in any event  
15 are junior to the avoided consensual liens. Absent a significant increase in the sale price, the  
16 Debtor's homestead exemption is out of the money and will not be paid.

17 F. The proposed sale is subject to higher and better bids and, by way of this Motion,  
18 the Trustee is requesting that the Court approve the overbid procedures described in the  
19 accompanying memorandum of points and authorities, summarized as follows:

- 20 1. **Minimum initial overbid:** \$276,000.00 (\$1,000.00 above the Buyer's  
21 current offer).
- 22 2. **Minimum overbidding increments:** \$1,000.00.
- 23 3. **Initial overbid deposit:** \$8,280.00 (*i.e.*, 3% of the minimum initial overbid  
24 price).
- 25 4. **Qualification for overbidding:** At least three (3) business days prior to the  
26 commencement of the hearing on this Motion, any party wishing to overbid on the Property must  
27 deliver to the Trustee's counsel, Eric P. Israel, Esq., 1901 Avenue of the Stars, Suite 450, Los  
28 Angeles, California 90067:

(a) a cashier's check payable to "Jeffrey I. Golden, Trustee" in the amount of \$8,280.00, and

(b) a written, executed overbid in the form attached as Exhibit "8" to the Trustee's declaration.

5. The Trustee proposes that no party be allowed to bid on the Property absent the timely delivery of the initial overbid deposit and the written, executed overbid form as set forth above. The Trustee in his sole discretion may determine that a party desiring to bid is not qualified due to insufficient documentation or financial qualifications. Accordingly, any party wishing to bid is encouraged to contact the Trustee's counsel at least one week before the hearing to ensure qualification.

6. **Back-up bidders:** Any qualified overbidder who is not the successful overbidder may opt to be a back-up bidder, subject to the Trustee's approval, in which case such back-up bidder's initial deposit will be retained by the Trustee until the sale closes.

G. **Estimated Net Sale Proceeds:** The opening sale price for the Property is \$275,000.00, subject to a 6% brokers' commission, liens, fees, and anticipated costs of sale, as follows:

Sale Price	\$275,000 .00
3% Commission to Coldwell Banker (Trustee's Broker)	(\$8,250.00)
Commission to Galaxy (3%) (Buyer's Broker)	(\$8,250.00)
Trustee's Avoided J-Pad Lien	\$301,011.14 <sup>1</sup>
Insurance Advances	\$1,691.80 +
<b>Estimated Net Sale Proceeds</b>	<b>\$256,808.20</b>
<b>(before escrow fees)</b>	

Because the consensual lien now held by the Trustee exceeds the proposed sales price, the Motion requests authority for the Trustee to not pay Debtor's allowed homestead because it is out

<sup>1</sup> As of January 9, 2025, at the contract interest rate of 5.5% (daily interest continues to accrue at \$33.90) per day.

1 of the money and the Debtor cannot claim an exemption in the recovered liens that the Debtor  
2 voluntarily put on the Property pursuant to Section 522(g).

3 H. The Trustee proposes to pay a real estate broker's commission of 6% of the sale  
4 price of the Property to the brokers as follows: 3% to Trustee's broker Coldwell Banker Residential  
5 Broker ("Coldwell Banker"), and 3% to Galaxy Homes, LLC ("Galaxy"), as the Buyer's broker in  
6 connection with the closing of this sale. If there is a successful overbidder (i.e., not the Buyer),  
7 such successful overbidder's broker will receive the 3% allocated to the Buyer's broker. If such  
8 successful overbidder does not have a broker, the entire 6% commission will be paid to Coldwell  
9 Banker, as Seller's broker.

10 I. The Trustee obtained forced insurance for the Property and requests authority to pay  
11 Trustee Insurance Agency ("TIA") \$1.691.80 plus any additional accrued premiums before the sale  
12 closes (collectively the "Insurance Advances").

13 J. **Anticipated Taxes:** The Trustee is consulting with his accountant and will  
14 supplement this motion with the estimated capital gain consequences of the sale, if any.

15 This Motion is based upon this Notice, the separately filed Motion and its attached  
16 Memorandum of Points and Authorities, Declarations of Jeffrey I. Golden and Greg Bingham and  
17 Request for Judicial Notice; the papers and pleadings in the Debtor's bankruptcy case and related  
18 adversary proceedings; and such other evidence that may be presented at the hearing.

19 Contemporaneously herewith, the Trustee is filing a separate motion for turnover, and  
20 incorporates all evidence and argument in support thereof as well.

21 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013-1(f),  
22 each interested party opposing, joining in or responding to the Motion must, not less than **14 days**  
23 before the date of the hearing, file with the Clerk of the Bankruptcy Court and serve upon the  
24 Trustee's general counsel, Eric P. Israel, Esq., 1901 Avenue of the Stars, Suite 450, Los Angeles,  
25 California 90067, and the United States Trustee, 411 W. 4th Street, Suite 7160, Santa Ana,  
26 California, either: (i) a complete written statement of all reasons in opposition thereto or in support  
27 or joinder thereof, declarations and copies of all photographs and documentary evidence on which  
28

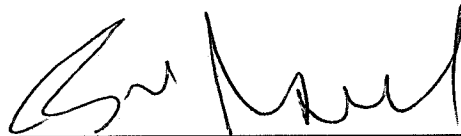
1 the responding party intends to rely, and any responding memorandum of points and authorities; or  
2 (ii) a written statement that the Motion will not be opposed.

3 Pursuant to Local Bankruptcy Rule 9013-1(h), failure to timely file and serve papers may  
4 be deemed by the Court to be consent to the granting of the Motion.

5  
6 DATED: January 31, 2025

DANNING, GILL, ISRAEL & KRASNOFF, LLP

7  
8 By:



9 ERIC P. ISRAEL

10 Attorneys for Jeffrey I. Golden, Chapter 7 Trustee  
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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): **Trustee's Notice Hearing on Motion to Authorize Sale of Manufactured Home Currently Located at 16222 Monterey Lane, Space 376, Huntington Beach, CA 92649, Decal No. LBM1081, Free and Clear of Liens and Homestead Exemption** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On January 31, 2025 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On January 31, 2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) January 31, 2025, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Debtor  
Jamie Lynn Gallian  
jamiegallian@gmail.com

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 31, 2025  
Date

Gloria Ramos  
Printed Name

/s/ Gloria Ramos  
Signature

**ADDITIONAL SERVICE INFORMATION (if needed):**

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

Bradford Barnhardt on behalf of Interested Party Courtesy NEF  
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Bradford Barnhardt on behalf of Plaintiff Houser Bros. Co.  
bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com

Christopher L Blank on behalf of Attorney Christopher L. Blank, Attorney at Law, PC  
chris@chrisblanklaw.com

Aaron E. De Leest on behalf of Plaintiff Jeffrey I. Golden  
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Aaron E. De Leest on behalf of Trustee Jeffrey I Golden (TR)  
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kmurphy@goeforlaw.com,  
rgoe@goeforlaw.com; goeforecf@gmail.com; Goe.RobertP.R@notify.bestcase.com; ajohnston@goeforlaw.com

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Robert P Goe on behalf of Plaintiff The Huntington Beach Gables Homeowners Association  
kmurphy@goeforlaw.com,  
rgoe@goeforlaw.com; goeforecf@gmail.com; Goe.RobertP.R@notify.bestcase.com; ajohnston@goeforlaw.com

Jeffrey I Golden (TR)  
lwerner@go2.law, jig@trustesolutions.net; kadele@go2.law; C205@ecfcbis.com

D Edward Hays on behalf of Creditor Houser Bros. Co. dba Rancho Del Rey Mobile Home Estates  
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ehays@ecf.courtdrive.com; alinares@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com

D Edward Hays on behalf of Interested Party Courtesy NEF  
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D Edward Hays on behalf of Plaintiff Houser Bros. Co.  
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ehays@ecf.courtdrive.com; alinares@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com

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Brandon J. Iskander on behalf of Plaintiff The Huntington Beach Gables Homeowners Association  
biskander@goeforlaw.com, kmurphy@goeforlaw.com

Eric P Israel on behalf of Trustee Jeffrey I Golden (TR)  
eisrael@danninggill.com, danninggill@gmail.com; eisrael@ecf.inforuptcy.com



Shantal Malmel on behalf of Interested Party Courtesy NEF  
, cheryl.caldwell@gmlaw.com

Shantal Malmel on behalf of Plaintiff Jeffrey I. Golden  
shantal.malmel@gmlaw.com, cheryl.caldwell@gmlaw.com

Shantal Malmel on behalf of Trustee Jeffrey I Golden (TR)  
shantal.malmel@gmlaw.com, cheryl.caldwell@gmlaw.com

Laila Masud on behalf of Creditor Houser Bros. Co. dba Rancho Del Rey Mobile Home Estates  
lmasud@marshackhays.com, lmasud@ecf.courtdrive.com;lbuchanan@marshackhays.com;alinares@ecf.courtdrive.com

Laila Masud on behalf of Interested Party Courtesy NEF  
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Laila Masud on behalf of Plaintiff Houser Bros. Co.  
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Mark A Mellor on behalf of Defendant Randall L Nickel  
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Mark A Mellor on behalf of Interested Party Courtesy NEF  
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Valerie Smith on behalf of Interested Party Courtesy NEF  
claims@recoverycorp.com

United States Trustee (SA)  
ustpreion16.sa.ecf@usdoj.gov

## **2. SERVED BY U.S. MAIL LIST OF ALL CREDITORS (MML)**

Jamie Lynn Gallian  
16222 Monterey Ln Unit 376  
Huntington Beach, CA 92649

The Honorable Scott C. Clarkson  
U.S. Bankruptcy Court  
Ronald Reagan Federal Building  
411 W. Fourth Street, Suite 5130  
Santa Ana, CA 92701

Office of the United States Trustee  
Santa Ana Division  
411 West Fourth Street, Suite 5130  
Santa Ana, CA 92701-4500

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Employment Development Dept.  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

Franchise Tax Board  
Bankruptcy Section MS: A-340  
P.O. Box 2952  
Sacramento, CA 95812-2952

Houser Bros. Co. dba Rancho Del Rey  
Mobile H  
c/o Marshack Hays LLP  
870 Roosevelt  
Irvine, CA 92620-3663

Association of Flight Attendants  
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Rosemont, IL. 60018

BS Investors  
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SACRAMENTO CA 95812-2952

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8502

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Gordon Rees Scully & Mansukhani  
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Los Angeles, CA 90071-2005

Houser Bros. Co.  
DBA Rancho De1 Rey Estates  
16222 Monterey Ln  
Huntington Beachr CA 92649-6214

Houser Bros. Co.dba Rancho De1  
Rey Mobile Home Estates  
17610 Beach Blvd Ste. 32  
Huntington Beach, CA 92647-6876

Houser Brothers Co.  
dba Rancho Del Rey Mobilehome  
Est.  
17610 Beach Blvd. Ste. 32  
Huntington Beach, CA 92647-6876

Huntington Beach Gables HOA  
c/o Feldsott & Lee  
23161 Mill Creek Dr. Ste. 300 Laguna  
Hills, CA 92653-7907

Huntington Beach Gables  
Homeowners Associati  
Epstein, Grinnel & Howell, APC  
10200 Willow Creek Rd Ste 100  
San Diego CA 92131-1655

Huntington Harbor Village  
16400 Saybrook  
Huntington Beach, CA 92649-2277

Huntington Hobile Home Inv. LLC.  
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San Dimasa CA 91773-4045

Huntington Mobile Home Investments  
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Huntington Beach, CA 92649-2277

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LLC  
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Newport Beach, CA 92560

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Plano, TX 75026-9011

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Philadelphia, 19101-7346

Internal Revenue Service Insolvency  
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J-pad, LLC  
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Coto De Caza, CA 92679-4738

Sardra Bradley  
18 Meadow Hood  
Coto De Caza, CA 92679-4738

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Feldsott & Lee  
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Laguna Hills, CA 92653-7907

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Superior Court of CA  
County of Orange  
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Santa Ana CA 92701-3907

Superior Default Services Inc  
c/o Feldsott & Lee  
23161 Mill Creek Drive Ste 300  
Laguna Hills, CA 92653-7908

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Ted Phillips  
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Huntington Beach, CA 92649

Ted Phillips  
17912 Sandra Lee  
Huntington Beach, CA 92649

The Huntington Beach Gables  
Homeowners Association  
c/o Epsten Grinnell & Howell APC  
10200 Willow Creek Road, Ste 100  
San Diego, CA 92131-1669

The Huntington Beach Gables  
Homeowners Association  
c/o Epsten Grinnell & Howell,  
APC 10200 Willow Creek Road,  
Ste 100  
San Diego, CA 92131

The Huntington Beach Gables  
Homeowners Assoc  
c/o Goe Forsythe & Hodges LLP  
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Theodore Phillips  
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Huntington Beach CA 92649

Theodore R "Ted" Phill  
c/o Gordon Rees Scully &  
Mansukhani  
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